United Nations A/C.4/52/SR.24

General Assembly
Fifty-second session

Official Records

Distr.: General
9 December 1997

Original: English

Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 24th meeting
Held at Headquarters, New York, on Tuesday, 25 November 1997, at 3 p.m.

Chairman: Mr. Mapuranga ..... (Zimbabwe)

Contents

Agenda item 87: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

97-83309 (E)

The meeting was called to order at 3.05 p.m.

Agenda item 87: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories *(continued)* (A/52/131 and Add.1 and 2, A/52/550, A/52/551, A/52/552 and A/52/553; A/C.4/52/L.17-L.21)

1. **Mr. Adwan** (Jordan) said that the Special Committee's report (A/52/131 and Add.1 and 2) clearly showed the deteriorating economic and human situation of the people of the occupied territories. Unjustifiable Israeli practices, including repeatedly sealing off the territories, building bypass roads, demolishing houses, confiscating land, building new settlements, imposing administrative detention, restricting the movement of people and goods and confiscating the identity cards of residents of Jerusalem, had sharply lowered living standards and reduced the number of Palestinians allowed to work in Israel. Not only the people's health and education, but even their freedom of worship, were adversely affected by such practices, which clearly violated the Fourth Geneva Convention of 1949 and did not contribute to the creation of a climate conducive to peace. Settlement-building, in particular, was illegal and undermined the peace process.

2. The issue of peace had to be tackled in a fundamental way, so that economic and social development could be achieved; the alternative was more strife. A just, comprehensive settlement of the Palestinian issue was essential, and an end to the occupation was a necessary step towards such a settlement. The Palestinian people had a right to determine their own future in their own land.

3. **Mr. Al-Muhanna** (Saudi Arabia) noted that Israel had not implemented any of the resolutions adopted by the Special Committee or the General Assembly for the previous 28 years. The most distressing of its practices was confiscating Palestinian land to build new settlements and bypass roads in the Gaza Strip and the West Bank, especially Jerusalem, where the Palestinian residents' situation was aggravated by the Israeli practice of confiscating their residence cards, treating them as though they were aliens in their own homeland. As for the occupied Syrian Golan, the Special Committee had never been permitted to visit that area to investigate conditions there. Between 1992 and 1996 the Palestinian economy had suffered losses estimated at $6 billion. Furthermore, many Palestinian families depended on work in Israel in order to live, and such work was very poorly remunerated. Israel was also systematically refusing to implement the Oslo Accords with the Palestine Liberation Organization. The international community should put pressure on Israel to abide by its commitments and to resume negotiations with the Syrian Arab Republic in order to work out a peaceful settlement for the Middle East as a whole.

4. **Mr. Barg** (Libyan Arab Jamahiriya) said that the Special Committee's report served the useful function of alerting the world to Israel's inhuman practices in the occupied territories: killing innocent people, applying a policy of collective punishment, sealing off the territories in order to starve the people and bring them to their knees, confiscating their land for new settlements while expelling them — the original inhabitants of Palestine — or confining them to disease-ridden enclaves, denying them the most basic human rights in defiance of the international community. The object of the Israeli practices was clearly to change the legal and demographic status of the territories. It was particularly painful to see such practices being applied to Jerusalem, Hebron and other locations.

5. If it were not for the uncritical support of the United States, the Israelis would be unable to pursue those practices, which sabotaged the efforts of the international community to bring peace to the region. A policy of fait accompli and the continued occupation of other people's land by force could never lead to peace. Libya renewed its call for the establishment of an independent, democratic State in Palestine, one in which Arabs and Jews would live together on a footing of equality, as the only valid way to move forward.

6. **Mr. Doudech** (Tunisia) noted that the report of the Special Committee (A/52/131 and Add.1 and 2) was, as expected, much like its predecessors in describing a wide variety of human rights violations committed by Israel against the Palestinians and other Arab inhabitants of the occupied territories. It seemed clear that the Israeli authorities were not interested in advancing the peace process; among other things, they were continuing to build a new settlement on the hill called Jabal Abu Ghneim in East Jerusalem, although the General Assembly had asked Israel to desist, and were preventing the Palestinian National Authority from undertaking vital projects. As a result of Israel's harsh practices, unemployment in Gaza was currently between 50 and 60 per cent. Land confiscation was continuing apace, especially on the West Bank and in East Jerusalem, and thousands of Palestinian families had been deprived of their livelihood in consequence. Palestinian homes were being demolished or sequestered for the benefit of Israeli families. All such actions contravened international conventions on human rights and the Fourth Geneva Convention.

7. In view of the deteriorating situation, the international community must work harder than ever in behalf of peace. Israel must be held to its commitments and made to abide by international law. A just, comprehensive and lasting peace was attainable only on the basis of exchanging land for peace. The Palestinian people had the right to establish an independent State, having Jerusalem as its capital, on their own land, while Syria and Lebanon must recover their respective occupied territories, in accordance with the relevant Security Council resolutions.

8. **Mr. Eltayep** (Sudan) said that a just and comprehensive peace in the Middle East must be based on respect for the human rights of the Palestinian people and the implementation by all parties of the agreements to which they had committed themselves. He noted with sorrow that the situation in the occupied territories continued to deteriorate, as the Special Committee's report showed only too clearly. The deliberate killing of Palestinians was particularly reprehensible. Curfews and closures made Palestinians prisoners in their own villages and towns and prevented them from obtaining food or seeking medical assistance.

9. The Sudan condemned collective action against the Palestinian people and the construction of Israeli settlements. Israel, of course, paid no attention to the international community's condemnation, as it enjoyed powerful support. But its continued refusal to implement agreements to which it had freely committed itself was a barrier on the road to peace. The international community must stand by the Palestinian people and enforce respect for international law if a just and lasting peace in the Middle East was to be attainable.

10. **Mr. Agam** (Malaysia) said he deplored the refusal of the Israeli authorities to cooperate with the Special Committee and expressed great disappointment at the disarray in the Middle East peace process only two years after the signing of the historic peace agreement in Washington, D.C. The human rights situation in the occupied territories, in particular, had deteriorated even further, and the refusal of the Likud Government to respect the peace agreements entered into by the former Government had resulted in alarming policies, the most dangerous of which was continuing Jewish settlement in the occupied territories, including Jerusalem, and the systematic confiscation of Arab-owned land in total disregard of United Nations resolutions. Those practices had resulted in untold suffering for the inhabitants of the occupied territories, and he noted that Arab land amounting to three quarters of the West Bank and over one third of the Gaza Strip had been forcibly acquired by Israel since 1967.

11. Despite international condemnation, the Israeli Government was continuing its settlement policy, including the construction of a new settlement on the hill called Jabal Abu Ghneim. That and other Israeli administrative measures, including the classification of Arab residents of Jerusalem as resident aliens or foreign immigrants in certain cases, would complete the encirclement of Arab-populated East Jerusalem, cutting it off from the rest of the West Bank, and would alter the demographic character and legal status of the City in favour of the Jewish population, thereby predetermining the outcome of the negotiations on Jerusalem.

12. The Jewish settlements and repeated closures of the occupied territories on security grounds had disrupted the lives of the Palestinian people and inhibited economic activity. Curtailing the movement of Palestinian workers into Israel had also resulted in a sharp increase in unemployment and a corresponding decrease in Palestinian income and living standards, already in decline. It had also adversely affected the public health and education of the Palestinian people. Attempts to regulate the movement of people and goods to and from the West Bank and Gaza Strip had further aggravated the plight of the Palestinian people.

13. He expressed great concern at the use of excessive force by the Israeli forces, the continued demolition of Arab houses, accusations of sexual harassment of women, detention and torture of children and acts of aggression by armed settlers, all of which undermined the building of confidence among Arabs and Israelis.

14. The peace process must be put back on track. His delegation therefore joined the international community in urging Israel to immediately cease its settlement activities in East Jerusalem and in the occupied territories and to abandon its policy of exclusion and containment in favour of one of engagement and dialogue with the Palestinians.

15. **Mr. Hashim** (Brunei Darussalam) said that his delegation had always supported efforts to find a comprehensive settlement in the Middle East. It was therefore deeply concerned about the situation in the occupied territories where the Palestinians continued to be deprived of their basic human rights such as access to education, natural resources and land ownership, further hindering a just and comprehensive settlement and seriously undermining the spirit of trust and cooperation vital to the success of the peace process.

16. The construction of the settlement on Jabal Abu Ghneim continued, as did other activities in the occupied territories which violated international law, United Nations resolutions and the inalienable rights of the Palestinian

people. He called on all the parties to implement the relevant resolutions and the agreement signed between the Palestinian Authority and Israel. He further called on Israel to comply with the Oslo Accords.

17. **Mr. Yousefi** (Islamic Republic of Iran) deplored the deterioration of the general human rights situation in the occupied territories, where the daily lives of the refugees had been made more difficult and tensions increased by the actions of the occupying Power. Those actions, which included the closure of the occupied territories, confiscation of land, demolition of Palestinian homes, detention of Palestinians and the killing of Palestinians by Israeli security forces, violated the human rights of the Palestinian people.

18. Continued expansion of settlements, particularly in Jerusalem, remained a source of tension. The construction of settlements in East Jerusalem, despite the occupying Power's undertakings and in contravention of United Nations resolutions, showed that Israel considered itself to be above international law and was not even committed to agreements it had entered into, and was instead trying to consolidate its occupation through demographic and geographic changes in the occupied territories, particularly in East Jerusalem.

19. He called on the international community to condemn measures taken by the occupying Power in the occupied territories; many of them were tantamount to collective punishment, had a negative effect on the economic and social situation of the inhabitants, and were not only illegal but inhuman. Any practices or actions which violated the human rights of the Palestinian people should cease immediately.

20. He stressed that a comprehensive and just solution to the question of Palestine lay in the restoration of all the rights of the Palestinian people, including the return of all Palestinian refugees and displaced persons to their homeland, the full and free exercise of their right to self-determination and the liberation of all occupied territories.

21. **Mr. Kohara** (Japan) expressed grave concern at the deteriorating situation in the Middle East, which could endanger the Madrid peace process. His Government had expressed its concern about the construction of new Israeli settlements in the occupied territories to the Government of Israel on a number of occasions. The international community had also repeatedly called upon Israel to halt such construction.

22. As an active participant in the multilateral talks, Japan urged the parties to make every effort to overcome the difficulties preventing them from resuming full-fledged negotiations. Although his delegation welcomed the partial resumption of direct negotiations agreed upon in September, he hoped that the parties would work in good faith to engage in an ongoing dialogue, since it was in their own best interests to secure a stable environment on which to build peace and prosperity.

23. His Government was determined to do everything possible to create an environment conducive to peace; it had sent a special envoy to the region and had been extending assistance to the parties concerned, particularly the Palestinians. It had recently approved a $23 million package of assistance for the Palestinians, bringing Japan's total aid to over $300 million.

24. He stressed that any draft resolutions adopted by the Committee should accurately reflect its deliberations, should not be provocative to any of the parties and should engender a spirit of cooperation for the achievement of lasting peace in the Middle East.

25. **Mr. Keene** (United States) stated that his Government believed that the resolutions under agenda item 87 contained outdated language, made no constructive contribution to the peace process and minimized the many accomplishments of the negotiating partners. The resources allocated to the Special Committee should be used instead to support Palestinian self-government and economic development in the West Bank and Gaza and thereby build more support for the peace process, improve the well-being of the Palestinian people and show that the Committee was serious about organizational reform and budgetary restraint. The Committee had spent approximately $4.5 million, excluding conference costs, to support activities which were barely noticed beyond the confines of the United Nations. That money could do a lot of good in the West Bank and Gaza or among Palestinian refugee communities elsewhere, to fund schools, health clinics, agricultural outreach, industrial parks or clean-water projects, rather than underwrite reports which few people read and produce resolutions which hurt, rather then helped, the peace process.

26. That process was going through difficult times, putting a special burden on the Committee to do everything possible to support it and encourage the parties. "Recycling" standard one-sided resolutions was pointless, and he called upon Member States to delete the standard request for the Committee to continue its work and report the following year. The Committee's existence was inconsistent with the efforts that Israel and the Palestinians were making to resolve their differences, and risked damaging prospects for the quiet but intense diplomatic efforts under way to inject new momentum into the peace process.

27. His Government would continue to oppose references in the draft resolutions to "the occupied Palestinian territory, including Jerusalem". He reaffirmed his Government's view that the Fourth Geneva Convention applied to territories occupied by Israel since 1967; it opposed the specific reference to Jerusalem which had no effect on issues of sovereignty and prejudged the final political arrangements in territories that could be determined only by the direct negotiations to which the parties had committed themselves.

28. **Mr. Tourgeman** (Israel), speaking in exercise of the right of reply, expressed incredulity at the many references to Israeli atrocities in the occupied territories. In reference to the comments by the representative of Lebanon concerning the situation in southern Lebanon, he wished to make it perfectly clear that Israel had no territorial claims on that territory and that its presence there was a simple question of self-defence to protect its towns and villages near the border, which had been subject to attack before the creation of the security zone. The inability or refusal of the Lebanese Government to prevent those attacks, in violation of international law, had left Israel no choice but to occupy the security zone.

29. Some observers had claimed that, if Israel withdrew from the security zone, the issue would resolve itself, but all evidence pointed to the contrary. He drew attention to an interview with the head of Hezbollah in the German magazine *Der Spiegel*, according to which, even if Israel withdrew from southern Lebanon, there could be no peace with Israel so long as Palestine remained in the hands of the Zionist entity, and only Palestinian weapons and martyrs would be able to bring peace to the region. The peace of which the leader of Hezbollah spoke would be the peace of the grave, to which he hoped to consign Israel.

30. In October, the Lebanese Prime Minister, speaking in Tehran, had said that Israel's withdrawal from the security zone would not guarantee peace in the area, for that could only happen once Israel had also left the Golan and had allowed the establishment of a Palestinian State. That showed that the Lebanese Government was trying to make fulfilment of its international obligations conditional on progress in negotiations between Israel and the other parties in the Middle East peace process.

31. His delegation was surprised that the representative of Lebanon had not referred to the massive Syrian military presence in Lebanon, which was the real occupation of Lebanon and which dictated Lebanese Government policies. The Lebanese and Syrian Governments claimed that the Syrian military deployment of 32,000 troops in Lebanon had been undertaken with the consent of the Lebanese Government. He referred, however, to an article in the 11 November 1997 edition of the Lebanese daily *Al-Nahar*, which stated that the leaders of Lebanon were afraid to tell the truth about the Syrian occupation, either for fear of losing their posts or because they were simply grovelling collaborators, and that the Syrian army had entered Lebanon and only afterwards had asked for the approval of the Lebanese Government. His delegation concurred fully with that analysis of the situation.

32. **Mr. Mansour** (Lebanon), speaking in exercise of the right of reply, said that the representative of Israel had gone too far and that there was no justification for the Israeli occupation of part of Lebanon. If Israel withdrew, Lebanon would ensure the return of peace and stability to the region. Instead, Israel justified its presence by claiming that the Lebanese Government was unable to ensure peace and stability in the area. It was also quite unfair to compare the Syrian and Israeli presence in Lebanon. The Israelis were an occupation force whereas the Syrians had been invited by the Lebanese Government and therefore posed no threat to Lebanon. By claiming that it had to remain in Lebanon because the Lebanese Government was unable to guarantee order, Israel was prejudging the future. There was no possible justification for the Israeli occupation of southern Lebanon, the Syrian Golan or other Arab territories.

The meeting rose at 4.20 p.m.